REMARKS

Claims 1-5 are currently pending in the application.

On page 3 of the Office Action, claims 1-5 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement and the written description requirement.

In the "Response to Arguments" section, the Examiner alleged that Applicants' argument regarding the measuring point of the present invention was not "found convincing for at least three reasons."

Applicants respectfully submit that on page 4 of the Amendment filed by Applicants on December 15, 2006, Applicants incorrectly stated that the measuring point is "at the rear of the tunable wavelength filter 30." Applicants intended to state that in the present invention, the measuring point is not at the rear of the fixed optical filter 51 (illustrated in FIG. 8). Rather, the measuring point, for example, the splitter 12 (illustrated in FIG. 8) is at a position that does not have a filter in front of the position. For example, as illustrated in FIG. 8, the splitter 12 is at the front of the fixed optical filter 51. As a result, an optical signal that has not been filtered can be measured at the measuring point.

In contrast to the present invention, as clearly illustrated in Fig. 2 of Fujita, the photo detector 50 is located at the rear stage of the tunable wavelength filter 30. Unlike in the present invention, in Fujita, the optical signal measured by the photo detector 50, is already filtered by the tunable wavelength filter 30.

In response to the Examiner's specific reasons as to why the Examiner is not convinced by Applicants' arguments, Applicants respond as follows:

(1),(2) The tunable wavelength filter 30 was incorrectly identified as part of the present invention in Applicants' amendment filed on December 15, 2006. The tunable wavelength filter 30 is an element of Fujita, not the present invention.

In response to the Examiner's inquiry regarding how the specific wavelength of the specific wavelength measuring unit is obtained, Applicants respectfully submit that the photo amplifying apparatus of the present invention measures both the light power of a specific wavelength and the light power of all wavelengths at the measuring point, which is located at the splitter 12. In particular, the photo diode 31, coupled with the fixed optical filter 51, for example,

and the photo diode 32, can measure the optical signal that has not been filtered by any filter.

In light of the foregoing, Applicants respectfully submit that one of ordinary skill in the relevant art would readily appreciate how to make and use the present invention without undue experimentation, after being presented with the disclosure herein. Moreover, one of ordinary skill in the art would also readily appreciate that Applicants had possession of the claimed subject matter of the present invention. Therefore, the claims are enabled and fully comply with the written description requirement.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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